

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Karen Swider Lyons et al.

Application No.: 10/046,295

Confirmation No.: 2321

Filed: January 16, 2002

Art Unit: 1754

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For: Method to prepare defective metal oxides with  
increased specific capacity

Examiner: S. J. Bos

**AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 41.33**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Applicants submit the following amendment after the filing of a Notice of Appeal but Prior to the filing of an Appeal Brief in order to place the Claims in better condition for Appeal. Applicants respectfully request that the examiner please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.